

The Fifth Side of the Pentagon

Moving the Coast Guard to the Department of Defense

by

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ABSTRACT

Following the tragic events of September 11, 2001, the United States Coast Guard, smallest of America's armed forces, was given massive new homeland protection responsibilities. Unfortunately, the service struggles to fulfill these duties due to aged equipment, insufficient personnel strength, and inadequate funding.

This paper analyses the Coast Guard's place in government and proposes moving the service to the Department of Defense (DOD).

A close examination of the growing Coast Guard mission set shows how the service has gained major new responsibilities in recent years without a corresponding increase in resources. A review of relations between the Coast Guard, the executive branch, and the Congress sheds light on the systemic problems that hamper the Coast Guard's ability to field the forces needed to carry out its mandated missions. Next, the most commonly heard arguments against shifting the service to DOD are evaluated and countered. The paper then highlights the important efficiencies that a move of the Coast Guard to DOD would make to national defense, homeland security, and the service's own operational capabilities.

“When it comes to securing our homeland, and helping people along the coast, the Coast Guard has got a vital and significant mission.”

– President George W. Bush, January 2002

“Clearly, the Coast Guard is a principal pillar of the new homeland security.”

– White House Budget Director Mitchell E. Daniels Jr., January 2002

“If the U.S. Coast Guard did not exist, we would have to invent it, quickly.”

– The Honorable Mortimer L. Downey, Chairman, Interagency Task Force on U.S. Coast Guard Roles and Missions, December 2000

“The United States Coast Guard is sailing toward the dubious distinction of operating the oldest naval fleet afloat.”

– Defense analyst John Roos, April 1999

CHAPTER 1

INTRODUCTION

For more than two centuries the United States Coast Guard and its predecessors have played a pivotal role in the security, safety, and defense of America. By law one of the nation's five armed services, the Coast Guard prides itself on being 'military, multi-mission, and maritime'¹ in nature: its mandated duties run a wide gamut from purely military tasks to federal law enforcement operations to administrative and regulatory functions.

The modern Coast Guard grew from the merger of the Revenue Cutter and Lifesaving Services in 1915 and has been a part of the Department of Transportation (DOT) since 1967, when transferred there from its historic home in the Treasury Department. Unfortunately, synergy between the Coast Guard and DOT never gelled, and a slow but steady evolution from predominantly safety-oriented missions to those more military in nature has veered the service away from DOT's core focus. At the same time, the Coast Guard has not received the political support or resources needed to perform the numerous missions added to its repertoire in recent years, and suffers severely from aging equipment and infrastructure.

September 11, 2001, ushered in a new era for the U.S. military, where defending the homeland takes center stage.² The terrorist attacks on America dramatically shifted the Coast Guard's operational priorities, adding new and lasting missions. It is in this critical time that the

¹ Admiral James M. Loy, USCG, Commandant, "State of the Coast Guard," *Coast Guard*, May 2001, 31.

² Donald Rumsfeld, Secretary of Defense, *Report of the Quadrennial Defense Review* (Washington, DC: GPO, September 2001): 14, 18.

weaknesses inherent in the Coast Guard's placement within DOT become most apparent. Today, the Coast Guard struggles to fulfill its new homeland security duties while carrying out its plethora of traditional activities.

To achieve the most effective level of national security, a transfer of the United States Coast Guard to the Department of Defense (DOD) is in order. This move will yield closer alignment among all five armed services, improve national security and defense operations, and strengthen the Coast Guard's funding base, doctrine, training, mission focus, and professionalism – all enhancing the service's execution of its newly invigorated homeland protection responsibilities.

CHAPTER TWO

SHATTERING THE *STATUS QUO*

The Coast Guard's placement within the Department of Transportation was from the start an "awkward fit."³ The new department focused heavily on promoting transportation safety and efficiency,⁴ with no military, law enforcement, or national defense responsibilities aligned with those of the Coast Guard.⁵

While retaining its elemental safety responsibilities, after 1967 the Coast Guard saw a dramatic rise in its law enforcement duties. The service entered the 'drug war' in 1973 and has been designated by the National Drug Control Strategy as the "lead agency for maritime drug interdiction."⁶ The Fisheries Conservation Management Act of 1976 created a 200-mile 'exclusive economic zone' around the United States, increasing more than ten-fold the ocean area in which the Coast Guard enforces U.S. fisheries regulations.⁷ In 1981, President Ronald Reagan directed the Coast Guard to commence alien migrant interdiction operations (AMIO) to

³ Captain Bruce Stubbs, USCG (Ret.), "Coast Guard has Outgrown Transportation," *Proceedings*, October 2001, 6.

⁴ Robert E. Bedingfield, "President Signs Bill Setting Up Transport Unit," *New York Times*, 16 October 1966, Final Ed., A1.

⁵ Proponents of a Coast Guard move into Transportation tended to gloss over the service's military heritage and responsibilities. President Johnson, in his message to Congress proposing the creation of DOT, argued that the Coast Guard's "principle peacetime activities relate to transportation and maritime safety," and made no mention of defense or law enforcement duties, despite the service being deeply involved in the Vietnam conflict at the time. "Text of the Message on Transportation Sent to Congress by President Johnson," *New York Times*, 03 March 1966, Final Ed, A20.

⁶ U.S. Coast Guard, *2001 Report: Fiscal Year 2000 Performance Report; Fiscal Year 2002 Budget in Brief* (Washington, DC: GPO, 2001): 13.

⁷ Lieutenant Commander William L. Ross, USCG, "Semper Paratus? The Coast Guard is Not Equipped to Fight," *Naval War College Review* 43, no. 1 (Winter 1990): 120; U.S. Coast Guard, "Historical Chronology," URL: <<http://www.uscg.mil/hq/g-cp/comrel/factfile/Factcard/HistoricalChronology.html>>, accessed 31 March 2002.

stem the tide of Haitians entering southern Florida by sea.⁸ In fiscal year 2001 the drug interdiction, fisheries protection, and AMIO programs consumed roughly forty percent of the service's operating expenses.⁹

Concurrent to the huge increase in law enforcement missions was substantial growth in the Coast Guard's defense responsibilities. In 1985 a new national strategy tasked the service, in time of war, to command Maritime Defense Zones to oversee coastal naval operations. Next, the Coast Guard formalized its niche capability of expeditionary port security by creating 120-man Port Security Units (PSU), which were used to great effect in Bahrain and Saudi Arabia during the Gulf War¹⁰ and are now a regular component in joint military operations.¹¹ Also, peacetime military engagement, in support of unified commanders in chief (CINCs) or at the request of the Department of State, grew impressively: since 1995, four major cutters deploy each year under the control of the Southern, Pacific, and European Commands, while Coast Guard trainers conduct hundreds of overseas visits to teach foreign naval personnel a variety of skills.¹²

Coast Guard support to CINCs was formalized in 1995 with the signing of a Memorandum of Agreement between DOT and DOD, which discussed the use of Coast Guard "capabilities and resources in support of the National Military Strategy"¹³ and stressed the need for deliberate plans and doctrine to include the Coast Guard. The memorandum listed five specific Coast

⁸ U.S. Coast Guard, "Historical Chronology." Since 1981, AMIO has expanded to interdict migrants from all nations bound illegally for the U.S., with Haitian, Dominican, Cuban, and Chinese migrants most often found. The majority of AMIO cases occur in the Caribbean, but major interdictions of Chinese migrants have been made along both coasts, often hundreds of miles at sea.

⁹ U.S. Coast Guard, *2001 Report*, 42.

¹⁰ In a little known operation, a Coast Guard PSU detachment was the first coalition naval unit to enter Kuwait's largest port city of Mina' Ash-Shuwaikh after the retreat of Iraqi forces. The PSUs were originally staffed with 100-110 personnel but have grown over time. Boatswain's Mate Third Class Norman Douglas Bradley, USCGR, "Waging Peace," *Proceedings*, December 1991, 54.

¹¹ Patricia Kime, "Reserve Unit Goes to Gitmo," *Navy Times*, 28 January 2002, 27.

¹² T.D. Kilvert-Jones, "An Active and Acceptable Presence," *Sea Power*, December 1999, 47.

¹³ Departments of Defense and Transportation, memorandum, subject: "Memorandum of Agreement Between the Department of Defense and the Department of Transportation on the Use of U.S. Coast Guard Capabilities and Resources in Support of the National Military Strategy," 03 October 1995, 1.

Guard contributions to national defense: maritime interception operations (MIO); port operations, security, and defense; coastal sea control; peacetime military engagement; and military environmental response operations.¹⁴ This memorandum was the strongest move in peacetime history toward integrating the Coast Guard into the joint warfighting establishment.

The growth of Coast Guard missions in the national defense and law enforcement arenas markedly shifted the focus of the service away from that of its parent department.¹⁵ The Commandant of the Coast Guard stated in early 2001 that transportation-related activities comprised only thirty percent of the Coast Guard's overall effort.¹⁶ According to Dr. Colin Gray, a renowned naval academician, the service's modern missions "are requiring it to equip for, and perform, operations more military in nature. Whatever may have been the case in the past, the total job of the Coast Guard today is more complementary to those of the other armed services than it is to the Department of Transportation."¹⁷

This growing dissonance in missions has been exacerbated by the prevailing focus of DOT, which through necessity is on critical transportation issues – not the burgeoning law enforcement and defense responsibilities of the Coast Guard. Captain Bruce Stubbs, a respected strategic analyst, observed that, "DoT has never placed Coast Guard missions and issues at its center of concerns. Aviation, highway, transit, and AMTRAK issues have and will always dominate

¹⁴ Departments of Defense and Transportation, 3-7. Not mentioned in the MOA are two additional defense-related missions: polar icebreaking, and general defense operations. U.S. Coast Guard, *Coast Guard Publication 1* (Washington, DC: GPO, 2002): 13.

¹⁵ A third mission area that grew markedly during this period, sparked by the 1989 *Exxon Valdez* oil spill, was marine environmental protection. This mission is both operational and regulatory in nature, and sometimes involves the Coast Guard and Navy working together for complex spills or vessel salvage operations.

¹⁶ Scott C. Truver, "The U.S. Coast Guard: Still *Semper Paratus*?" *Sea Power*, August 2001, 40; Stubbs, "Outgrown Transportation," 6. This percentage has grown even smaller following the boost in defense activity since September 11, 2001.

¹⁷ Colin S. Gray, "The Coast Guard and Navy: It's Time for a National Fleet," *Naval War College Review* 54, no. 3 (Summer 2001): 132.

DoT's agenda, interests, and attention."¹⁸ The same is true in Congress: the committees that oversee and authorize Coast Guard funding concentrate primarily on non-military, regulatory functions such as coastal zone management, communications, highway safety, and sports.¹⁹

In an austere budget environment, DOT faces the difficult task of dividing its limited slice of the federal budget, known as Function 400, among various high-profile transportation programs. According to an internal Coast Guard analysis, long-term prospects for reaping a larger percentage of Function 400 funds are "relatively bleak."²⁰ One analyst argues that under DOT, Coast Guard acquisition funding is "woefully out of touch with reality."²¹ Congress likewise has struggled with funding the Coast Guard, reflecting not only the service's place within government but also its lack of institutional and political clout. In the opinion of a former Commandant, "Although Congress and its members love the Coast Guard, they love the votes that transportation systems garner even more."²²

Located within one of the executive branch's smallest departments, without a strong constituency, and competing for limited funds against popular programs, the Coast Guard has suffered in resources and readiness. Despite continuing mission growth, it saw a twelve-percent funding decrease between 1997-2000,²³ a fifteen-percent manpower reduction during the 1990s, and for seven of the past ten years has depended on supplemental appropriations to continue

¹⁸ Captain Bruce Stubbs, USCG (Ret.), "Cast-Off All Lines," *Armed Forces Journal International* 138, no. 11 (June 2001): 28.

¹⁹ U.S. Congress, Senate Committee on Commerce, Science, and Transportation, "Jurisdiction of the Committee on Commerce, Science, and Transportation," URL: <<http://www.senate.gov/~commerce/juris.htm>>, accessed 01 February 2002; U.S. Congress, House Committee on Transportation and Infrastructure, "Jurisdiction and Activities," URL: <<http://www.house.gov/transportation/cgmt/cgmtjuris.htm>>, accessed 01 February 2002.

²⁰ U.S. Coast Guard, Office of Strategic Analysis, "The Coast Guard's Proper Place in Government," draft study dated 20 December 2000, provided on 01 November 2001 by Commander Pat Philbin, USCG, 13.

²¹ John G. Roos, "The White-Hull Navy," *Armed Forces Journal International* 136, no. 9 (April 1999): 35.

²² Admiral Paul Yost, USCG (Ret.), Commandant from 1986-1990, response to "Toss the Coast Guard a Life Ring," *Proceedings*, September 2001, 18.

²³ Truver, "Still *Semper Paratus*?" 38.

operating.²⁴ In 1998 a White House request to Congress for supplemental funds to improve the readiness of the military services did “not include a nickel for the Coast Guard.”²⁵

In 1999 the Commandant described his service’s lagging state of readiness as a “dull knife ... dangerous both to Coast Guard people and to the American people that depend on us.”²⁶ A recent study by the Transportation Department’s Inspector General found that the service was spread far too thin “even before the Sept. 11 attacks compelled the Coast Guard to assume the huge burden of providing port and waterway security.”²⁷ Meanwhile, chronic ‘underfunding’ has led to a gradual but cumulatively severe degradation of capital assets, with many shore facilities in need of repair,²⁸ a coastal distress radio system several generations out of date,²⁹ and the bulk of nearly 300 ‘deepwater’ cutters and aircraft—those designed to operate more than fifty miles from shore—markedly neglected:

The nation’s cutter fleet is older than all but two of the world’s 41 deepwater naval and coast guard fleets. America’s cutters lack adequate speed, endurance and systems to accomplish their tasks in the most cost-efficient and safe manner. Aircraft and cutters have poor sensors and only a limited night operations capability. Systems for communicating between Coast Guard units—as well as for communicating with the forces of other Services or agencies—are inadequate. Likewise, antiquated technology is increasing the Coast Guard’s operating and maintenance costs.³⁰

²⁴ Bill Lambrecht, “Coast Guard Isn’t Shipshape for New Anti-Terror Mission: Old Equipment, Vessels Hinder Ability to Protect U.S.” *St. Louis Post-Dispatch*, 18 November 2001, Three Star Ed., A1.

²⁵ This in spite of the Coast Guard helping to put together the supplemental funding request. Gray, “Time for a National Fleet.”

²⁶ Admiral James M. Loy, USCG, Commandant, “State of the Coast Guard Address,” speech presented at Andrews Air Force Base, Washington, DC, 04 May 1999, URL: <<http://www.uscg.mil/Commandant/Speeches/SOCCG.html>>, accessed 25 March 2002.

²⁷ Michael Kilian, Coast Guard Being Spread Too Thin: Service Overtaxed by New Security Requirements,” *Chicago Tribune*, 15 February 2002, North Sports Final Ed., A14.

²⁸ James H. Thach III, “An Innovative Plan for Multimission Excellence,” *Sea Power*, January 2001, 29.

²⁹ U.S. Coast Guard, *Annual Report 1998* (Washington, DC: GPO, 1998): 5.

³⁰ Reserve Officer’s Association of the United States, brochure, *A Coast Guard for the 21st Century: The Integrated Deepwater System*, n.p., n.d., 16.

The President's fiscal year 2003 budget includes a nineteen-percent boost in the Coast Guard's operating funds, the largest increase in the service's history.³¹ However, even this massive infusion will not solve long-standing problems: homeland security duties and resource improvements will consume the new monies, leaving traditional operations such as fisheries protection potentially cut by as much as a third.³²

There is a growing consensus that DOT is not the proper home for the Coast Guard. Many analysts advocate moving the service out of Transportation:³³ proposed legislation would merge the Coast Guard with the Customs Service and the Border Patrol in a new homeland security agency.³⁴ Meanwhile, supporters in Congress have been increasingly vocal about the service's untenable fiscal plight. One Congressman stated the Coast Guard receives "the crumbs off the table,"³⁵ with another opining, "a lack of adequate resources has seriously weakened the Coast Guard's ability to defend our borders."³⁶ Most telling were the words of a third House member, who said in January 2001 that the Coast Guard "would be better off in the Department of Defense. Their problem is that they have been an orphan in the Department of Transportation."³⁷

³¹ U.S. Department of Transportation, "Fiscal 2003 Budget Reflects Funding for Transportation Security," 04 February 2002, URL: <<http://www.dot.gov/affairs/dot01302.htm>>, accessed 11 February 2002.

³² Robert S. Boyd, "Coast Guard Ramps Up Security of Nation's 361 Ports," *Knight Ridder Newspapers*, 10 February 2002, URL: <<http://cgweb.uscg.mil/gi/PAnet/news/newsclips/clips.html>>, accessed 16 February 2002.

³³ The most highly publicized proposal, offered by the U.S. Commission on National Security/21st Century (also known as the Hart-Rudman Commission) would move the Coast Guard into the enforcement arm of a new National Homeland Security Agency. U.S. Commission on National Security/21st Century, *Road Map for National Security: Imperative for Change*, 15 February 2001, URL: <<http://www.nssg.gov/PhaseIIIFR.pdf>>, accessed 01 April 2002.

³⁴ Introduced in H.R. 1158 in March 2001 by Congressman Mac Thornberry of Texas. Katherine McIntire Peters, "The War at Home," *Government Executive*, November 2001, 31.

³⁵ Congressman Howard Coble, quoted in Joseph T. Hallinan, "U.S. Coast Guard, Military's 'Orphan,' Gets a Big New Job, But Not Much Help, *Wall Street Journal*, 23 November 2001, Final Ed., A1.

³⁶ Congressman Frank LoBiondo, quoted in "Emergency Response: Deepwater, Deep Interest," *Rotor and Wing*, March 2002, URL: <<http://www.defensedaily.com/reports/rotorwing/0302deepwater.htm>>, accessed 20 March 2002.

³⁷ Congressman Frank Wolf, Chairman of the subcommittee that oversees Coast Guard appropriations, quoted in Stubbs, "Outgrown Transportation," 6.

The September 11 tragedies shattered a long-standing paradigm concerning America's security at home, showing the vulnerability to an asymmetric threat. In response, the federal government created an Office of Homeland Security, a massive Transportation Security Administration, and a new unified CINC, Northern Command, responsible for the military defense of America. The Coast Guard, too, saw a huge increase in its day-to-day protective and defense missions. According to an influential White House official, "the Coast Guard is a principal pillar of the new homeland security"³⁸ and the incumbent Commandant has described this mission as the Coast Guard's operational "North Star."³⁹

In protecting the homeland the Coast Guard faces multiple tasks, principle among them port security and control of the littoral region.⁴⁰ Prior to September 11, the Coast Guard expended between one and two percent of its operational effort on port security; in the months after the terrorist attack that number ballooned to more than fifty percent.⁴¹ Ultimately, as the service reaches a "new normalcy,"⁴² it anticipates expending about a quarter of its overall effort directly on homeland protection.⁴³

Port security duties include patrolling harbors and coasts, boarding and escorting vessels entering port, and providing the maritime point defense of key structures and industry. This is an

³⁸ Mitchell E. Daniels Jr., White House Budget Director, quoted in Richard Simon and Louis Sahagun, "Coast Guard Gets Lifeline, Security: The Struggling Agency is Receiving More Respect and Funding Consideration Since Sept. 11 Attacks," *Los Angeles Times*, 20 January 2002, Final Ed., A18.

³⁹ Admiral James M. Loy, USCG, Commandant, "State of the Coast Guard Address: Steering a Steady Course to New Normalcy," speech presented at Bolling Air Force Base, Washington, DC, 21 March 2002.

⁴⁰ The Coast Guard has identified five major homeland security functions: building maritime domain awareness, ensuring the controlled movement of high interest vessels, enhancing presence and response capabilities, protecting critical infrastructure/enhancing own service force protection, and increasing international and domestic outreach. U.S. Congress, House Committee on Transportation and Infrastructure, Subcommittee on the Coast Guard and Maritime Transportation, *Coast Guard Fiscal Year 2003 Budget*, Hearings, 107th Cong., 2nd sess., 07 March 2002, URL: <<http://www.house.gov/transportation>>, accessed 01 April 2002.

⁴¹ U.S. President, "Securing America's Borders Fact Sheet: Border Security," URL: <<http://www.whitehouse.gov/news/releases/2002/01/200201.html>>, accessed 02 April 2002.

⁴² U.S. Coast Guard, Office of Intergovernmental and Public Affairs, Fact Sheet, *Homeland Security & the New Normalcy*, n.p., 01 November 2001.

⁴³ Kilian, "Spread Too Thin," A14.

enormous responsibility considering America's 361 sizable ports, 95,000 miles of coastline, 51,000 annual foreign ship visits and "thousands of pieces of critical infrastructure adjacent to U.S. waterways, including 103 nuclear power plants."⁴⁴

Control of the littoral requires identification of potential threats out to 200 miles or more from shore. This concept, dubbed 'maritime domain awareness' (MDA), requires a massive offshore detection and tracking effort as well as fluid information-sharing among government agencies and civilian industries, and boils down to a basic tenet: "Every arriving, departing, transiting and loitering vessel will be known and subject to a risk assessment before the vessel can become a direct threat to the U.S."⁴⁵ In the aftermath of September 11, the Coast Guard has made a concerted effort to spur rapid growth of this capability, admitting nonetheless that MDA is a "critical, yet not fully developed component, of homeland security."⁴⁶

These vital Coast Guard homeland security duties are not a temporary swing of the pendulum but rather a permanent mission reorientation. According to the White House:

The need for homeland security is tied to the underlying vulnerability of American society and the fact that we can never be sure when or where the next terrorist conspiracy against us will emerge. The events of September 11 were a harsh wake-up call to all citizens, revealing to us the dangers we face. Not since World War II have our American values and our way of life been so threatened. The country is now at war, and securing the homeland is a national priority.⁴⁷

⁴⁴ Rear Admiral Kenneth Venuto, USCG, Chief of Operations Policy, quoted in Michael Kilian, "Coast Guard Awash in New Duties; Maritime Agency Beefed Up to Deal With Terrorist Threat," *Chicago Tribune*, 29 January 2002, North Sports Final Ed., A8. To help defend the most vulnerable ports, the Coast Guard is creating a half dozen 71-man Maritime Safety and Security Teams. Kilian, "Spread Too Thin," A14.

⁴⁵ Emphasis in original. Captain Robert G. Ross, USCG, Chief, Office of Strategic Analysis, "Maritime Domain Awareness: The Key to Securing the Blue Frontier," information paper, 19 September 2001, provided on 01 November 2001 by Commander Pat Philbin, USCG, 1; U.S. Department of Defense, memorandum, subject: "Maritime Domain Awareness: Memorandum of Agreement Among the Department of Defense, the United States Coast Guard, the Immigration and Naturalization Service, and the Bureau of Consular Affairs, Department of State," 12 January 2001.

⁴⁶ U.S. Coast Guard, Office of Intergovernmental and Public Affairs, *Homeland Security*.

⁴⁷ U.S. President, *Securing the Homeland, Strengthening the Nation*, URL: <http://www.whitehouse.gov/homeland/homeland_security_book.html>, accessed 11 February 2002, 3.

It is only under these circumstances that a critical assessment of transferring the Coast Guard to the Department of Defense can be made. The question that must be answered is: would such a realignment position the Coast Guard to serve the public better across the breadth of its missions? The answer is an unequivocal 'yes.'

CHAPTER THREE

A COMMON DEFENSE

The Coast Guard should be relocated alongside the Navy and Marine Corps as the third sea service in the Department of the Navy (DON), a structure modeled on the existing DON-Navy-Marine Corps relationship. The Commandant of the Coast Guard should report directly to the Secretary of the Navy and sit as a member of the Joint Chiefs of Staff for maritime and homeland security issues.⁴⁸ With the Navy focusing its effort on blue water operations, the Coast Guard would provide DON the defensive element to protect America's littoral region.

The idea of incorporating the Coast Guard into the Department of the Navy is not new. Since 1915 the Congress or the executive branch have proposed permanently moving the service into the Navy or Defense Departments on seven separate occasions, most recently in draft legislation circulated through Congress in 2000. The genesis of most early transfer proposals was to reap efficiencies between the Coast Guard and Navy, but recent initiatives have focused on gaining budget support for the beleaguered service.⁴⁹ Nonetheless, Congress has not acted on moving the Coast Guard into DOD, and three recurring arguments against such a transfer have emerged over time.⁵⁰

⁴⁸ Permanent transfer of the Coast Guard to DON should not be confused with the existing legal mechanism of *temporarily* shifting the Coast Guard to Navy control “upon declaration of war or when the President directs.” 14 U.S.C. § 3. For the global war on terrorism, the Secretary of the Navy, Commandant of the Coast Guard, and Chief of Naval Operations agreed that such a transfer was not needed. Joint Staff, Directorate for Operations (J-3), memorandum to the Office of the Secretary of Defense, WTC01-0097-01, subject: “U.S. Coast Guard (USCG) Operation as a Service in the Navy,” 22 September 2001.

⁴⁹ Other proposals since 1967 have recommended moving the Coast Guard into new departments or making the service an independent agency. However, transfer to DON has been the predominant and most consistently made recommendation regarding a new location within government. U.S. Coast Guard, Office of Strategic Analysis, “Proper Place in Government,” 7-8.

⁵⁰ A fourth but more peripheral argument focuses on the harm the loss of the Coast Guard would bring to DOT, by reducing the size of the department. This argument has been rendered moot by the creation of the massive

The strongest argument is that a Coast Guard move to DOD could weaken the separation between civil and military authority in the United States, and draw all of the armed forces into a direct law enforcement role. The Coast Guard is unique as the only U.S. military service granted civil law enforcement authority; the DOD services are prohibited by the *posse comitatus* statutes and by Defense Department policy. According to Admiral James Loy, Commandant of the Coast Guard, “Placing the Coast Guard within the Department of Defense would tend to diminish the dynamic strength of our civil authority to enforce the law, would obscure the unique nature of our service, and ultimately would undermine the laws that keep us free.”⁵¹

These are vital concerns, but ones that can be addressed in the legislation directing a Coast Guard transfer to DOD. The bill’s language should explicitly preserve the Coast Guard’s law enforcement authority while detailing the prohibition against direct Army, Navy, Marine Corps, or Air Force police efforts; at no time would law enforcement authority rest with a member of any uniformed service except the Coast Guard.

The strict codification of this relationship would yield significant benefits to the nation. The past two decades have witnessed a blurring of the line between traditional military operations and civilian law enforcement, first as DOD joined the national counter drug effort,⁵² and today in the complex relationship between military homeland defense and civilian-led homeland security.

Moving the Coast Guard to Defense could clarify this murkiness by erecting a strong barrier

Transportation Security Administration, which will soon boast a workforce larger than that of the Coast Guard. U.S. General Accounting Office, “Executive Summary of GAO Report GAO/RCED-90-132: Coast Guard Organization and Funding” (Washington, DC: GPO, July 1990): 6.

⁵¹ Admiral James M. Loy, USCG, Commandant, email interview by author, 30 January – 04 February 2002.

⁵² DOD’s commitment to the counter drug mission has involved tens of thousands of personnel from all of the military branches. In 1988 the Defense Department was tasked by Congress as “the single lead agency responsible for the detection and monitoring or aerial and maritime transit of illegal drugs into the United States.” Michael Shelton, “The Forward Edge of Drug Interdiction,” *Sea Power*, September 2001, URL: <http://www.navyleague.org/seapower_mag/sept2001/forward_edge_of_drug.htm>, accessed 09 October 2001; Vice Admiral James C. Irwin, USCG, Vice Commandant, “DOD Now Becoming a Major Player in National Undertaking,” *Sea*

against a police role for the other DOD services. Any DOD homeland security or law enforcement actions would be in support of the Coast Guard or a designated civilian agency. The Coast Guard would act as DOD's single law enforcement agent, providing expertise and the institutional buffer needed to ensure that the other armed services would remain clear of direct law enforcement entanglements.

A second criticism of transferring the Coast Guard into the Navy Department is that many safety and regulatory missions of the smaller service do not fit well with the overarching functions of DOD.⁵³ There is only partial truth to this claim. Most Coast Guard duties have equivalent functions already existing within the Defense Department; folding such missions into DOD would be relatively easy.

The Coast Guard's search and rescue (SAR) function is a prime example. SAR is a core duty that comprises twelve percent of the Coast Guard's operating funds.⁵⁴ Some will argue that this humanitarian mission has no place within DOD; however, the Defense Department already plays a key role in the national SAR effort. The U.S. Air Force oversees inland SAR coordination for the contiguous United States, runs the Air Force Rescue Coordination Center to provide nationwide, around-the-clock response, and details instructors to the Coast Guard's National Search and Rescue School.⁵⁵ In the field, the DOD services perform SAR missions on a regular basis, whether in the 'combat SAR' mode or at the request of Air Force or Coast Guard rescue planners. The SAR culture already exists in DOD, and the Department of the Navy is a logical home for the Coast Guard's maritime SAR responsibility.

Power, January 1985, 75. For a description of covert DOD operations against Colombian drug cartels, see Mark Bowden, *Killing Pablo* (New York: Penguin Books, 2001).

⁵³ "Questions for CNO and Navy Staff," information paper, n.p., n.d., provided on 01 December by CNO staff, 6.

⁵⁴ U.S. Coast Guard, *2001 Report*, 42.

⁵⁵ U.S. Air Force, "Fact Sheet: Air Force Rescue Coordination Center, URL: <<http://www2.acc.af.mil/library/factsheets/afccc.html>>, accessed 21 February 2002.

The same is true for many other Coast Guard missions that appear at first blush to be out of place within DOD. Maritime law enforcement efforts already receive massive support from the Defense Department and, with appropriate legislative safeguards, would fit into DOD without difficulty. Marine environmental protection, which comprises a tenth of the Coast Guard's resources and budget,⁵⁶ fits well with the Navy, which itself possesses a robust pollution response and salvage capability. Additionally, aids to navigation, waterways administration, and domestic ice operations loosely parallel functions overseen by the U.S. Army Corps of Engineers.

It is only certain regulatory functions with no military flavor, such as merchant mariner licensing, which would be out of place within DOD. When moved to the Navy Department, the Coast Guard should be required to transfer these functions to civilian agencies. For example, licensing could be shifted to the Maritime Administration and the National Transportation Safety Board could relieve the Coast Guard of maritime accident investigations.⁵⁷ An added benefit of shedding these functions would be to move the Coast Guard's overall institutional focus away from the civilian regulatory mindset and toward a more military, security-oriented posture.

The small size of the Coast Guard in relation to the Defense Department poses a third potential hurdle: its budget would account for only five percent of the total DON figure, and one percent of DOD's as a whole.⁵⁸ It is conceivable that the Coast Guard could face difficulty influencing the Secretary of the Navy in regard to funds, missions, and programs.⁵⁹

⁵⁶ U.S. Coast Guard, *2001 Report*, 42.

⁵⁷ Stubbs, "Cast-Off All Lines," 30.

⁵⁸ U.S. Coast Guard, Office of Strategic Analysis, "Proper Place in Government," 14.

⁵⁹ In the prescient words of one observer, when involved in the Navy Department's internal budget competition, the smaller service would always have to "maintain a sharp lookout and avoid steaming under its big sister's bow, because it will suffer virtually all of the damage from any collision." Lieutenant Christopher A. Abel, USCG, "Hunker Down Now!" *Proceedings*, December 1990, 58.

The relative size of the Coast Guard, however, belies its importance in providing unmatched contributions to national security and defense. Like the similarly small DOD Special Forces,⁶⁰ the Navy Seabees, and the Army Corps of Engineers, the Coast Guard possesses capabilities found nowhere else, and is a “complementary, non-redundant force-in-being which is available to the Commanders in Chief as a specialized instrument of the nation’s security.”⁶¹ The unique nature of key Coast Guard attributes—federal law enforcement authority, interaction with civilian government, littoral and small vessel expertise—provides the Defense Department new tools much needed for both homeland security and overseas engagement and would argue strongly for DOD to protect the Coast Guard through suitable funding, mission, and resource allocations.

The potential challenges of a Coast Guard move to the Defense Department are far outweighed by the significant gains that would occur.

Under DOD the Coast Guard would escape the tenuous fiscal support offered by DOT, providing the nation a more capable and effective service. A Coast Guard study found that its budget “would align well”⁶² with DOD, where the funding and acquisition environment is keyed to maintaining cutting-edge military capability. Additionally, becoming a part of the Defense Department would align pay and compensation issues among the five services, eliminating ‘entitlement surprises’ that now occur when Congress mandates increased compensation for all

⁶⁰ There are great similarities in both budget and personnel strength between the Special Forces (combined Army, Navy, and Air Force) and Coast Guard. Both have total active and reserve personnel strengths of around 46,000 and budgets comprising about one-percent of the DOD total. U.S. Special Operations Command, “USSOCOM Overview Briefing to the U.S. Marine Corps War College,” briefing, 09 May 2002.

⁶¹ Interagency Task Force on U.S. Coast Guard Roles and Missions, *A Coast Guard for the Twenty First Century* (Washington, DC: GPO, December 1999): vii.

⁶² U.S. Coast Guard, Office of Strategic Analysis, “Proper Place in Government,” 14.

military members, but does not provide the necessary funding to the Transportation Department.⁶³

A transfer to DOD, according to Admiral Loy, would allow the Coast Guard to “almost certainly gather organizational strength through the camaraderie of residing in an undivided house.”⁶⁴ As U.S. military operations become increasingly joint, there is no better way for the Coast Guard to stay abreast of DOD than to be part of it. The service would garner improvements in doctrine development, training, and professional military education,⁶⁵ yielding more effective operational capabilities. Today unable to keep pace with the surge of new technologies fielded by the larger services, the Coast Guard would reap the benefits of compatible research, development, procurement, and experimentation⁶⁶ in developing “joint, interoperable, and multimissioned”⁶⁷ ships and aircraft.

A move to the Department of Defense would strengthen the Coast Guard by rekindling its military ethos. A long standing problem is the Coast Guard’s lack of institutional clarity and focus: since its inception in 1915, the service has suffered from an “organizational split personality,”⁶⁸ part war fighting and law enforcement service, part humanitarian and regulatory agency. This quasi-military culture is often at odds with that of DOD, hampering effective communication and adding a degree of difficulty in conducting joint operations.

⁶³ For example, the 2000 National Defense Authorization Act “did not factor the cost of increased entitlements into the Coast Guard budget” forcing the Coast Guard to strip these monies from other programs. This budgetary dilemma can result directly in a degradation of the Coast Guard’s operational capability. Vice Admiral Howard B. Thorson, USCG, “Toss the Coast Guard a Life Ring,” *Proceedings*, July 2001, 2.

⁶⁴ Loy, email interview.

⁶⁵ The Coast Guard is the only military service without an established doctrine system, and has by far the weakest PME program.

⁶⁶ Lieutenant Regina A. McNamara, USCG, *Small Service, Big Impact: The Coast Guard, a Service Well-Suited to Meet Emerging Maritime Security Threats*, unpublished Naval War College research paper, April 2001, 11.

⁶⁷ U.S. Coast Guard, *Coast Guard 2020: Ready Today ... Preparing For Tomorrow* (Washington, DC: GPO, May 1998, 17.

⁶⁸ Commander Ronald Fraser, USCGR, “The Coast Guard: *Quo Vadis?*” *Proceedings*, February 1984, 41.

The Coast Guard must remold its culture to meet the nation's security needs. It is the service's military character that allows it to perform its most challenging duties – responsibilities that have grown more difficult since September 11 and require Coast Guard personnel “to have strong police and warrior attributes.”⁶⁹ The service's military culture cannot be leveraged within a civilian organization such as DOT, or even in a new homeland security agency. Moving the Coast Guard to DOD and surrounding it with the world's best military professionals would generate this much-needed military focus, ultimately yielding stronger mission effectiveness.

Most importantly, Coast Guard integration into the Department of Defense would substantially bolster national security.

First, it would add value to CINC Theater Security Cooperation Plans through closer coordination of Coast Guard and DOD international engagement efforts. Seventy percent of the world's navies perform missions similar to those of the U.S. Coast Guard, giving the American service great influence among its foreign peers.⁷⁰ This security assistance role will be amplified over the next twenty years as the Coast Guard procures new cutters and aircraft for its ‘Integrated Deepwater System’ (IDS), which also is expected to generate extensive sales to friendly nations. As other countries purchase IDS components they will undoubtedly forge closer training, operational, and doctrinal links with the Coast Guard, enhancing military-to-military ties and supporting CINC engagement initiatives.⁷¹

Second, the closer alignment of the Coast Guard and Navy would boost ongoing efforts to create a vital ‘National Fleet,’ a concept developed in the late 1990s to maximize the

⁶⁹ Captain Bruce Stubbs, USCG (Ret.), “Preparing For the New War,” *Armed Forces Journal International* 139, no. 6 (February 2002), 51.

⁷⁰ Kilvert-Jones, ““Acceptable Presence,” 47, 49.

interoperability of the two sea services across the wide range of maritime missions. This concept recognizes that the Coast Guard's major cutters have become increasingly valuable to the national defense establishment. According to Admiral Loy, "In the era of a 600-ship Navy, 40 or so cutters were a virtual afterthought. But today with regional instability and strife around the world and 116 surface combatants in the Navy, cutters ... take on a new significance."⁷²

In 1998, the Chief of Naval Operations and Coast Guard Commandant signed the National Fleet Policy Statement (later re-ratified in 2001) that described:

... surface combatants, major cutters, boats, aircraft and shore-side command and control nodes that are affordable, adaptable, interoperable, and have complementary capabilities; designed, wherever possible, around common equipment and support systems; and capable of supporting the broad spectrum of national security requirements.⁷³

The worthy goals of this policy are a clarion call for Coast Guard integration into the Department of the Navy; the full potential of a National Fleet can never be realized with the two sea services residing in different corners of the government, having to cross inter-departmental lines to coordinate every facet of the program. Today, there is ample evidence that the National Fleet initiative is foundering, primarily due to a lack of aggressive departmental advocacy and murkiness in congressional oversight.⁷⁴ A move to DOD would eliminate this fractured relationship and shore up this vital program.

Third, locating the Coast Guard within DOD would allow the growth of the critical interservice relationships necessary for conducting the challenging homeland security missions of maritime domain awareness and port security.

⁷¹ Scott C. Truver, "The Common-Sense Case for Deepwater: Where No Coast Guard Program Has Gone Before ...," *Sea Power*, April 2001, 84.

⁷² Admiral James M. Loy, USCG, Commandant, "Shaping America's Joint Maritime Forces: The Coast Guard of the 21st Century," *Joint Forces Quarterly*, no. 18 (Spring 1998): 15.

For MDA, the Coast Guard does not possess the organic capability to provide comprehensive detection and surveillance of all potential targets in America's littoral waters, and must rely on DOD's land, sea, air, and space-based sensors for support. The interface between the Coast Guard and DOD must be absolutely seamless, to prevent any loss of important intelligence information and to allow swift and effective action against any vessel threatening U.S. territory.

For port security, DOD assets will most likely be called to support the Coast Guard and other agencies following a terror attack or to defeat a known maritime threat. To ensure interoperability, all Coast Guard units must be ready to coordinate complex operations with their DOD counterparts on a moment's notice. Close relations also are necessary when protecting the thirteen strategic ports designated by DOD for loading crucial war supplies destined for overseas engagements, prime targets for terrorist attack.⁷⁵ Whether for crisis response or force protection, tight and effective coordination between patrolling Coast Guard and DOD security forces is crucial, an operational goal best reached if both players are on the same team.

Fourth, if moved to the Defense Department, the Coast Guard would bring with it extensive expertise in dealing with civilian agencies at all levels of government. With over 400 small units stationed nationwide, the Coast Guard has enormous day-to-day contact with other emergency response agencies, police forces, and the maritime industry. The Joint Staff has recognized that for effective homeland defense "unprecedented cooperation and understanding (vertical and horizontal) will be required between local, state, and federal agencies and the DOD."⁷⁶ This is

⁷³ U.S. Coast Guard, Brochure, *Integrated Deepwater System Program: Fullfilling the Coast Guard's Commitment to the National Fleet*, n.p., n.d.

⁷⁴ Captain Bruce Stubbs, USCG (Ret.), "Whither the National Fleet?" *Proceedings*, May 2001, 72.

⁷⁵ Interagency Commission on Crime and Security in U.S. Seaports, *Report of the Interagency Commission on Crime and Security in U.S. Seaports* (Washington, DC: GPO, Fall 2000): vi.

⁷⁶ Joint Staff, Directorate for Strategic Plans and Policy (J5), "Homeland Security, Defense, and Civil Support," briefing, 06 December 2001.

clearly an area where Coast Guard experience and long-standing relations would benefit the larger services and national maritime security.

In the final analysis, the Coast Guard's interaction with the newly created Northern Command will be critical in establishing a comprehensive maritime defense of the United States. The Coast Guard offers CINC NORTH a variety of tools that can enhance protection and respond to attacks on American shores, including its statutory law enforcement authority and a host of readily-available vessels, aircraft, and hazardous material response units.⁷⁷ But to refine a coordinated capability, it is essential to establish a relationship between Coast Guard and DOD forces much closer than exists today.

An effective notional arrangement would be for the Coast Guard to act as the naval component commander for Northern Command, with other DOD forces in support. Through its nine District and two Area headquarters, the Coast Guard has in place an effective command and control architecture to oversee port security, MDA, and national defense activities out to several hundred miles from shore. Admiral Vernon Clark, the Chief of Naval Operations, recently argued in favor of creating a NORAD-style capability for tracking vessels approaching the United States, and stated: "I am convinced that responsibility for [this maritime mission] should rest first and foremost with the United States Coast Guard."⁷⁸

To maximize the effectiveness of this or any other arrangement, the Coast Guard and Northern Command must develop the highest levels of compatibility, common procedures, and

⁷⁷ Consequence management following a chemical, biological, or nuclear incident is an area where long standing Coast Guard 'Strike Team' expertise can be used to great effect if firmly linked with DOD. The Commanding General of the Army's premier chemical training school recently noted that the smaller service has much to offer DOD personnel about emergency response, stating "They have an expertise in hazardous material that we don't have." Harry Levins, "For First Time, Fort Wood is Training Coast Guard Specialists: They Are Learning to Respond to Chemical, Biological Attacks," *St. Louis Post-Dispatch*, 27 January 2002, Five Star Lift Ed., A10.

⁷⁸ "Navy Chief Calls For 'NORAD-Like' Awareness of Maritime Environment: Clark Recommends Coast Guard for Lead Role," *Inside the Pentagon*, 28 March 2002, URL: <<http://www.ebird.dtic.mil/mar2002>>, accessed 31 March 2002.

equipment interoperability. It is clear that for the Coast Guard to work effectively alongside DOD, it must possess at all levels and among all personnel a thorough understanding of Defense Department policies, operations, and doctrine – a condition that does not exist today, but that permanent transfer to DOD would create.

With homeland defense and security the top priority of the United States military, there is no more compelling reason for the Coast Guard to transfer into the Department of Defense than the essential need for the Coast Guard-Northern Command relationship to be solid, reliable, and mutually supportive. Retaining the Coast Guard in DOT, or transferring it to another civilian-oriented department, does not meet this test.

CHAPTER 4

CONCLUSION AND RECOMMENDATIONS

The United States stands at a unique historical conflux of several distinct trends that cumulatively argue for the transfer of the Coast Guard to DOD.

First is the steady growth over the past twenty years of Coast Guard and Defense Department interaction across a variety of mission areas: drug interdiction, maritime interception operations, and port security prime among them. In the words of Dr. Gray, “an unmistakable practical convergence is under way: the Coast Guard’s defense mission is growing, while the national *security* agenda of interest to the Defense Department is widening.”⁷⁹

Second is the growing consensus that the Coast Guard needs to leave the Department of Transportation. The Coast Guard’s aged infrastructure, the continual shortage of adequate funding, and the differences in focus between the service and its parent department make clear the necessity for the Coast Guard to find a new home within the federal government.⁸⁰

Third, and most important, the national security environment has changed in dramatic fashion since the deadly attacks of September 11. International terrorists now pose a direct threat to the U.S. mainland. The Bush Administration has responded aggressively and has mandated changes to the overarching mission priorities of the federal government, detailing a heavy responsibility to the Coast Guard. Even with the Coast Guard retaining its traditional humanitarian mission set of SAR, pollution response, and safety, the vast new homeland security duties permanently slant the overall focus of the service heavily toward defense and law enforcement operations.

⁷⁹ Emphasis in original. Gray, “Time for a National Fleet,” 132.

⁸⁰ Stubbs, “Cast-Off All Lines,” 28.

It is the aggregate weight of these trends that makes a transfer of the Coast Guard to the Department of Defense in the best security interests of the United States. Congress and the Administration should, without hesitation, consider the following changes:

First, permanently transfer the Coast Guard to the Department of the Navy, to sit as a third and equal service alongside the Navy and Marine Corps.⁸¹

In the enabling legislation for the transfer, maintain the Coast Guard's existing law enforcement authority and reinforce a strict policy that prohibits direct law enforcement action by the other DOD services.

Grant a suitable period for study and planning before executing the move to DOD, to allow the Coast Guard to formalize its new homeland security functions and to prepare a smooth and efficient transfer.⁸² A twelve to eighteen-month preparatory period should suffice.

Transfer the handful of fully civilian-oriented Coast Guard missions—and the personnel, resources, and funding that support them—to more appropriate agencies within the federal government. In particular, shed strictly regulatory and administrative duties such as maritime mishap analysis, inspection of vessels under construction, merchant mariner licensing, and bridge administration.

Change existing law to remove provisions for transferring the Coast Guard to complete Navy control in time of war or when the President sees fit. As last experienced in World War II, this transfer creates a huge administrative burden and in the modern era does not generate useful operational benefits.⁸³

⁸¹ In an administrative move to fully recognize the diversity of naval missions, rename the Department of the Navy the 'Department of Naval Forces.'

⁸² Sandra I. Erwin, "Coast Guard Striving to Define 'Normalcy,'" *National Defense Magazine*, URL: <<http://www.nationaldefensemagazine.org/article.cfm?Id=695>>, accessed 22 January 2002.

⁸³ U.S. Coast Guard, "Transfer of the Coast Guard to the Navy," unpublished report, n.p., July 1942, 18; Department of the Navy, *Annual Report For the Fiscal Year 1942* (Washington, DC: GPO, 1942): 50.

Finally, realign Congressional oversight to place the Coast Guard's primary missions and funding under the auspices of the House and Senate Armed Services Committees and their subordinate subcommittees.

These initiatives would auger a new era for the Coast Guard, improving its organizational strength, gaining efficiencies of scale and performance alongside its DOD brethren, and allowing it to make the most beneficial contributions to national security.

Following World War II, the United States dramatically reorganized its armed forces to reflect the lessons of that terrible struggle and to fight the Cold War. From this realignment came an independent Air Force, a new Department of Defense, and a Central Intelligence Agency. Today's global war on terrorism marks another decision point for America's leaders, providing notice that essential changes in the national defense architecture are needed to combat a dangerous and stealthy foe. As part of the military's transformation, it is time to transfer the United States Coast Guard to a berth alongside the other armed services.

The physical damage inflicted upon the Pentagon on September 11 poses a striking metaphor for America's current security posture. As construction crews work to rebuild the damaged fifth side of the Pentagon, the nation needs to renew its military by adding the fifth armed service to the Defense Department – to reap the benefits of the Coast Guard's unique and complementary capabilities and to provide for a robust, seamless, and enduring homeland defense.

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